

**Subpart C—Production Reports—
Oil and Gas**

SOURCE: 73 FR 15892, Mar. 26, 2008, unless otherwise noted.

§ 210.100 What is the purpose of this subpart?

The purpose of this subpart is to explain production reporting requirements when energy and mineral resources are removed from Federal and Indian oil and gas leases and federally approved agreements. This includes leases and unit and communitization agreements located onshore and on the Outer Continental Shelf (OCS).

§ 210.101 Who must submit production reports?

- (a) If you operate a Federal or Indian oil and gas lease or federally approved unit or communitization agreement, you must submit production reports.
- (b) Before reporting production to MMS, you must obtain an operator number. To obtain an operator number, refer to the *MMS Minerals Production Reporter Handbook* for instructions and MMS contact information (also see § 210.106 for information on how to obtain a handbook).

§ 210.102 What production reports must I submit?

- (a) Form MMS-4054, Oil and Gas Operations Report. If you operate a Federal or Indian onshore or OCS oil and gas lease or federally approved unit or communitization agreement that contains one or more wells that are not permanently plugged or abandoned, you must submit Form MMS-4054 to MMS:
 - (1) You must submit Form MMS-4054 for each well for each calendar month, beginning with the month in which you complete drilling, unless:
 - (i) You have only test production from a drilling well; or
 - (ii) The MMS tells you in writing to report differently.
 - (2) You must continue reporting until:
 - (i) The Bureau of Land Management (BLM) or MMS approves all wells as permanently plugged or abandoned or the lease or unit or communitization agreement is terminated; and

- (ii) You dispose of all inventory.
- (b) Form MMS-4058, Production Allocation Schedule Report. If you operate an offshore facility measurement point (FMP) handling production from a Federal oil and gas lease or federally approved unit agreement that is commingled (with approval) with production from any other source prior to measurement for royalty determination, you must file Form MMS-4058.

(1) You must submit Form MMS-4058 for each calendar month beginning with the month in which you first handle production covered by this section.

(2) Form MMS-4058 is not required whenever all of the following conditions are met:

- (i) All leases involved are Federal leases;
- (ii) All leases have the same fixed royalty rate;
- (iii) All leases are operated by the same operator;
- (iv) The facility measurement device is operated by the same person as the leases/agreements;
- (v) Production has not been previously measured for royalty determination; and
- (vi) The production is not subsequently commingled and measured for royalty determination at an FMP for which Form MMS-4058 is required under this part.

§ 210.103 When are my production reports due?

- (a) The MMS must receive your completed Forms MMS-4054 and MMS-4058 by the 15th day of the second month following the month for which you are reporting.
- (b) A report is considered received when it is delivered to MMS by 4 p.m. mountain time at the addresses specified in § 210.105. Reports received after 4 p.m. mountain time are considered received the following business day.

§ 210.104 Must I submit these production reports electronically?

- (a) You must submit Forms MMS-4054 and MMS-4058 electronically unless you qualify for an exception under § 210.105.
- (b) You must use one of the following electronic media types, unless MMS instructs you differently: